

Minutes

Witham Area Committee

29th November 2005



Present:

Councillors	Present	Councillors	Present
J E Abbott	Yes	P A Heath	Yes
P R Barlow	Apologies	P J Hughes	Yes
K E Bigden (Vice-Chairman)	Yes	M C M Lager	Yes (until 9.20pm)
K D Boylan	Yes	Ms J S M Martin	Yes
Dr R L Evans (Chairman)	Yes	R G S Mitchell	Apologies
D M Finch	Yes (until 9.55pm)	Mrs J B Reekie	No
T J W Foster	Yes	Mrs K E Tearle	Yes
Mrs M E Galione	Yes (until 9.20pm)	R A G Tincknell	Apologies
J E B Gyford	Yes	P J R Turner	Apologies

Mr T J French, Chairman of the Standards Committee, was also in attendance.

54 DECLARATIONS OF INTEREST

The following Declarations of Interest were made:-

- Councillors D M Finch and M C M Lager declared personal interests as Members of Essex County Council in Agenda Item 5 – Proposed No Waiting At Any time – Colchester Road and Crittall Road, Witham.
- Councillor T J W Foster declared
 - a) a personal interest as a Member of Kelvedon Parish Council in Application Nos. 05/01177/COU – 17 High Street, Kelvedon and 05/01018/LBC – Easterford Mill, Swan Street, Kelvedon.
 - b) a personal and prejudicial interest as two of the objectors were known to him in Application No. 05/01177/COU – 17 High Street, Kelvedon. In accordance with the Code of Conduct, Councillor Foster left the meeting during the discussion of this item and for the relevant part of Public Question Time.
- Councillor J Gyford declared a personal interest as he was acquainted with three of the objectors in Application No. 05/01177/COU – 17 High Street, Kelvedon.
- Councillor K E Bigden declared personal interests as a Member of Hatfield Peverel Parish Council in Application Nos. 05/01966/OUT – 43 Prior Farm Road and 05/01993/FUL – Rose Cottage, 2 Sportsmans Lane.
- Councillor J E Abbott declared a personal interest as a member of Rivenhall Parish Council in Application No. 05/02042/OUT – 31 St Marys Road, Rivenhall.

In accordance with the Code of Conduct, all Councillors remained at the meeting, unless stated otherwise, and took part in the discussion for all the above items and the vote thereon.

55 MINUTES

DECISION: The minutes of the meeting of the Witham Area Committee held on 1st November 2005 were approved as a correct record and signed by the Chairman.

56 PUBLIC QUESTION TIME

INFORMATION: There were twenty seven statements made, a summary of which is appended to these Minutes.

Any amendments to the Officers' recommendations having taken into account the issues raised by members of the public would be dealt with by conditions, a summary of which is contained within the appropriate minute. Full details of the Decision Notices are contained in the Register of Planning Applications.

57 PROPOSED NO WAITING AT ANY TIME – COLCHESTER ROAD AND CRITTALL ROAD, WITHAM

INFORMATION: The Committee considered the objections received to the proposed restrictions for Colchester Road and Crittall Road.

DECISION: That notwithstanding the objections outlined in the report, an Order be made subject to and in accordance with the County Council's standard order making procedure.

58 A12 HATFIELD PEVEREL TO WITHAM – PROPOSED PROVISION OF AUXILIARY LANES

INFORMATION: The Committee considered the Highways Agency proposals for a new scheme, replacing the previous A12 Hatfield Peverel to Witham link road. Councillor Ian Goldsworth, the Vice Chairman of Hatfield Peverel Parish Council, joined the table for this item. Councillor Goldsworth advised that the Parish Council's primary objective was safe access to and from the A12. He noted that it was estimated that a further 5000 cars would be on the road by 2010 but was disappointed in the lack of information on traffic flow forthcoming from the County Council. He suggested that the Highways Agency should erect additional signage indicating merging traffic and queues at peak times together with speed restrictions. He asked the Committee to reject the proposal.

Members agreed that the solution outlined in the report was not ideal but emphasised that the provision of a separate Link Road should still be actively pursued.

DECISION: That the Highways Agency proposal for the provision of Auxiliary Lanes between Hatfield Peverel and Witham be supported as an interim measure but pressure is continued for the provision of a separate Link Road in order to remove the problem of weaving traffic movements and to provide a safe separate route for local traffic and cyclists between the two settlements.

An amendment to the above Recommendation was moved and seconded but on being put to the vote was declared LOST.

59 PLANNING APPLICATION REFUSED

DECISION: That the undermentioned planning applications be refused under the Town and Country Planning Act 1990 for the reasons set out below.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*05/01993/FUL (REFUSED)	Hatfield Peveler	Mr & Mrs R Goodall	Demolition of existing dwelling and erection of replacement house and new garage, Rose Cottage, 2 Sportsmans Lane.

Reasons for Refusal

The existing building contributes to the area and the proposed replacement dwelling would have a detrimental effect.

60 PLANNING APPLICATIONS APPROVED

DECISION: That the undermentioned planning applications be approved under the Town and Country Planning Act 1990, including Listed Building Consent where appropriate, subject to the conditions contained in the Development Director's report, as amended below, details of which are contained in the Register of Planning Applications.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
<i>(Councillor Foster left the meeting during the discussion of the following item)</i>			
*05/01177/COU (APPROVED)	Kelvedon	Mr & Mrs Thakvar	Change of use and extension of Occasional Room to form sorting office, 17 High Street.

Councillor Brian Boyer of Feering Parish Council and Councillor Craig Martin, the Chairman of Kelvedon Parish Council joined the table for this item. Councillor Boyer stated that Feering Parish Council supported the proposal wholeheartedly. The Feering Post Office had closed some time ago and the residents of Feering who relied on the Kelvedon Post Office were greatly concerned at the prospect of it closing. Councillor Martin stated that Kelvedon Parish Council did not normally make comments but on this occasion wished to make it known the Parish Council were in favour of the proposal. He referred to a public meeting held in Kelvedon at which over 70 people were present when the objectors had an opportunity to put their views. At the end of the public meeting, the vote was virtually unanimously in favour of the proposal. Councillor Martin considered the traffic issue to be overstated as there would only be a few additional van deliveries. He noted that Sorting Offices were sited in residential areas in other parts of the country and pointed out that the no machinery would be involved. He added that the Sorting Office would not be open to the public and did not therefore require wheelchair access. Councillor Martin was not aware of any other suitable premises in Kelvedon that could be used as a Sorting Office. He concluded that the overwhelming majority of residents supported the proposal.

*05/01691/FUL (APPROVED)	Feering	G N J Kemp	Proposed barn conversions to B1 use and erection of extension, Feering Lodge Barns, London Road.
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*05/01966/OUT (APPROVED)	Hatfield Peveler	Mr I T Jolly	Demolition of existing dwelling and erection of two detached dwellings, 43 Priory Farm Road.
*05/01018/LBC (APPROVED)	Kelvedon	Mr Q and Mrs M Colborn	Alterations to redundant mill, Easterford Mill, Swan Street.
*05/02042/OUT (APPROVED)	Rivenhall	Mrs J E Kelly	Erection of detached bungalow and double garage, Land Adjoining 31 St Marys Road.

The above application was approved, subject to an additional Condition requesting that, following completion, the road is left in no worse condition than at the commencement of the development.

Prior to the last planning application being taken it was moved, seconded and AGREED that the meeting be extended until the business on the agenda had been completed.

*05/01915/COU (APPROVED)	Witham	Tim Hart	Change of use from residential C3 into private gym D2, 50 Maldon Road.
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The above application was approved, subject to the amendment of the opening hours on Saturday to 8.00am – 12.00 noon.

During the discussion of the above application, the following recommendation was made.

DECISION: That it be Recommended to Cabinet:- That a dedicated telephone line be made available for members of the public to report enforcement and other parking issues.

PLEASE NOTE: The full list of standard conditions and reasons can be viewed at the Office of the Development Service Director, Council Offices, Causeway House, Bocking End, Braintree, Essex, CM7 9HB.

(Where applications are marked * this denotes that representations were received and considered by the Committee).

The meeting closed at 10.21pm.

DR R L EVANS
(CHAIRMAN)

APPENDIX

WITHAM AREA COMMITTEE

29th November 2005

PUBLIC QUESTION TIME

Summary of Questions Asked / Statements Made During Public Question Time

1. Statements relating to Application No. 05/01177/COU – 17 High Street, Kelvedon

(Councillor Foster left the meeting during the following statements)

(a) Statement by Amanda Howe, 99 Daniel Way, Silver End

Mrs Howe stated that she had been an employee of the Post Office for the past four years and it was a necessity for the village to keep the Post Office. If it closed, pensioners would have to travel to another village or town which would be very difficult in bad weather. Both the Post Office and Sorting Office were needed, without the Sorting Office there would be no Post Office.

(b) Statement by Mrs Silvia Butcher, 42 St Mary's Road, Kelvedon

Mrs Butcher stated that all her points had been covered by Mrs Howe.

(c) Statement by Mrs Eunice Wash, 13 Glebe Road, Kelvedon

Mrs Wash spoke on behalf of the Sorting Office staff who delivered to 2500 people. It would be sad to lose the Post Office and would cause a lot of disruption. Mrs Wash added that they were a quiet bunch of workers.

(d) Statement by Mr Alan Bradley, 29 London Road, Kelvedon

Mr Bradley reiterated the problems of collecting post from the Sorting Office in Colchester, involving a round trip of three hours for elderly people.

(e) Statement by Mr Peter Crowe, Park Farm House, Inworth, Colchester

Mr Crowe considered it was essential to have the Post Office in Kelvedon to serve business and domestic customers, to lose the Post Office would be a disaster. He reminded Members that the decision they made tonight would determine whether or not Kelvedon retained a Post Office.

(f) Statement by Mr Chirag Thakrar, 33 High Street, Kelvedon

Mr Thakrar stated that at the meeting on 4th October, there was not enough time to respond to some of the issues raised by the objectors. He explained the procedures for sorting, collecting and delivery of mail. He noted that the most important issue was that the relationship between the Post Office and the Sorting Office was symbiotic and at Kelvedon one could not survive financially without the other in close proximity. The business was only financially viable if the cost and income

of both the Post Office and Sorting Office was aggregated. The family had taken on the Post Office based upon the long-standing permission to erect a small building at the rear of the Bhavani General Store at 17 High Street Kelvedon and which Royal Mail initially advised was large enough to contain the Sorting Office. The advice of the Historic Buildings Advisor was followed during the construction of the purpose designed building in February 2005. In April 2005, Royal Mail advised that the building was now too small to house the Sorting Office due to a change in Health and Safety regulations.

Mr Thakrar referred to the objections made to the application regarding increased vehicular traffic. He detailed the current early morning van deliveries on at least six days each week and noted that there was also a steady influx of shop customers early in the morning. Mr Thakrar stated that the Sorting Office would not be open to the public and therefore would cause no increase in public parking. The work would be virtually silent as no machinery was involved.

The family had examined various different solutions, including the Sorting Office continuing in its current location and moving to an alternative location. However, if it remained in situ, there would be an increase of 60% in rent and it was not financially viable to move to an alternative location. If the mail was sorted in Colchester it would add two hours of unpaid work to each postman and postwoman's day.

(g) Statement by Mr Richard Minns, 81 Riverside Way, Kelvedon

Mr Minns felt that it was important for the Committee to consider that the Sorting Office application related to the viability of the Post Office. The High Street was a commercial area and therefore an appropriate location for this business. He noted that local employment was provided and jobs would be lost if the business closed. He noted that the Historic Buildings Advisor did not consider the application would have a detrimental impact on the area. There would be no additional traffic generated. Mr Minns called upon the Committee to approve the application.

(h) Statement by Mrs Jackie Windard, 7 St Mary's Road, Kelvedon

Mrs Windard spoke on behalf of the elderly residents of St Mary's Road. She noted that the road had a primary school, residents ranged in age from 3 – 91 years. Mrs Windard stated that to refuse the application would cause personal distress and hardship to the community. She asked the Committee to consider who would be affected by the decision tonight.

(i) Statement by Mr Larry Raison

Mr Raison stated that the community relied on services, a vital part of which was the Post Office. He considered that this vital part of the community should not be lost.

(j) Statement by Mrs Thakvar (Applicant)

Mrs Thakrar referred to the questions raised at the Witham Area meeting on 4th October 2005. She noted that a public meeting had been held in the village to address the issues raised. She did not anticipate any problems with parking and noted that the County Highways had inspected the area. Mrs Thakrar pointed out

that there was a disabled home opposite the Post Office, people in wheelchairs did use the shop with no difficulty.

(k) Statement by Mr Simon Emery, The Cottage, Hill House Crossing, London Road, Feering

Mr Emery was concerned that if people had to leave the village to use a Post Office, they may use other services outside of the village also.

(l) Statement by Mrs Karen Waddilove, 25 High Street, Kelvedon

Mrs Waddilove reiterated that she had no objection to the Post Office but objected most strongly to the Sorting Office proposal. She questioned how a commercial building could be built in a conservation area which would have an unacceptable impact on residents' views and privacy. She felt that it had not been proved that the Sorting Office could not be moved to an alternative location. Mrs Waddilove considered that there was insufficient parking outside the shop for the quantity of vehicles concerned. She also felt that there was inadequate wheelchair access as the building was a listed cottage.

(m) Statement by Mr Jonathan Mills, 15 High Street, Kelvedon

Mr Mills stated that he fully supported the Post Office but not the Sorting Office. He noted that the applicant had threatened to close the Post Office if the Sorting Office application was not approved and he considered this to be a material consideration for the Committee. Mr Mills felt that the Sorting Office was an industrial business and should not be sited in a residential area.

(n) Statement by Mrs Pascale Mills, 15 High Street, Kelvedon

Mrs Mills stated that she objected to the Sorting Office and referred to RLP 17. She considered the site of the building was an eyesore at the moment, let alone should planning permission be granted for a Sorting Office. Mrs Mills felt that vans would park across residents' driveways and at bus stops causing traffic hazards. She also referred to RLP 92. Mrs Mills noted that wheelchair users could not access the Sorting Office and considered that planning permission should be refused.

(o) Statement by Ms Nichola Stewart, 37 High Street, Kelvedon

Ms Stewart considered that the County Surveyor's opinion was reason enough for a deferral and the findings in the report were lacking in information. Ms Stewart noted that there was no legal parking at 6.30am as the roads were full of residents' vehicles. Ms Stewart felt that an industrial business such as a Sorting Office located in a residential area would cause major day to day problems for residents.

(p) Statement by Mr Alan Stones (Agent)

Mr Stones stated that the proposal was for a small village Sorting Office, not an industrial business. He noted that the Sorting Office at the other end of the village had been a very good neighbour. The Sorting Office would be sited in a back yard not a garden. Referred to the concerns regarding disabled access, he noted that the Sorting Office would not be accessed by the public and workers were required to

be able-bodied. Mr Stones considered that relocating the Sorting Office to this end of the High Street would be safer in terms of traffic as the road was wider. He added that customer parking in this area had been the case for many years.

2. Statement relating to Application No. 05/01915/COU – 50 Maldon Road, Witham

(a) Statement by Mr Tim Hart (Applicant)

Mr Hart stated that he intended to provide a service for clients to get proper care and tuition. The existing premises were an ideal location although he was aware of concerns raised regarding parking but he considered that these had been addressed. There would be two spaces available for less able clients and the staff would walk or cycle to work and more able clients would also be encouraged to walk or cycle.

(b) Statement by Mr Tim Galloway, 31 Maldon Road, Witham

Mr Galloway stated that residents and the Parish Council objected on the grounds of parking concerns. There were already problems caused by a nursery in Maldon Road. As the proposal was aimed at rehabilitation for those who had undergone medical treatment, it was unlikely people would be willing to park three quarters of a mile away. Mr Galloway requested the Committee to refuse the application or defer it in order that a proper traffic survey could be undertaken.

(c) Statement by Miss Kate Grant, 33 Maldon Road, Witham

Miss Grant asked the Committee to seriously consider the parking amenity of residents. She questioned where the four people employed by the premises would park. Miss Grant was also concerned about noise and felt that the hours should be restricted to a more suitable time, particularly on a Saturday, as this could be disruptive to residents who worked full-time.

(d) Statement by Mr Colin Thompson, 38 Maldon Road, Witham

Mr Thompson stated that he lived next door to the premises. His main concern was additional traffic and he referred to the current traffic problems caused by the nursery. He noted that two parking spaces would be allocated to the premises and questioned where staff would park. Mr Thompson objected very strongly to the proposal.

3. Statement relating to Application No. 05/01993/FUL – 2 Rose Cottage, Sportsmans Lane, Nounsley, Hatfield Peverel

(a) Statement by Mrs June Perry, Cosy Cats Cottage, 5 Sportsmans Lane, Nounsley

Mrs Perry stated that the original part of Rose Cottage should not be demolished. The original timber frame still existed. She noted that the properties either side had been extended but were listed. She considered the cottage to be at the very heart of the hamlet. Mrs Perry asked the Committee to delay making a decision to give residents time to raise the matter with English Heritage and save the cottage.

(b) Statement by Mr Gary Miller, Barnards and Gate Farm, Nounsley Road

Mr Miller disagreed with the report conditions. He noted that the proposed garage was also large and would be almost as large as the existing building. He referred to

a photograph being circulated and asked the Committee to consider if this was overdevelopment.

(c) Statement by Mr Darryl Day, 19 Sportsmans Lane

Mr Day stated that this was a pivotal location in the village and a high proportion of people in the locality objected to the proposal. It would be detrimental to the existing character of the area and the height and footprint would be increased considerably. Mr Day was concerned that it may create a precedent. Should the application be approved, Mr Day requested that conditions be imposed to prevent the garage being converted into a separate dwelling.

(d) Statement by Mr Les Nicholas, 45 Sportsmans Lane

Mr Nicholas stated that he had lived at his address for 40 years and there had been very little change in that time. He found the application objectionable and considered there to be very little wrong with the cottage apart from rotten window frames. He considered that it should not be demolished.

(e) Statement by Mr Reg Holborn, Greytiles, Nounsley Road

Mr Holborn considered that his property was most affected as he was the next door neighbour. He emphasised that neither the applicants nor professional advisers had consulted local residents on their proposals. Mr Holborn had detailed knowledge of the interior of the cottage and considered that it should not be knocked down.

4. Statement relating to Agenda Item 6 – A12 Hatfield Peverel to Witham

Statement by Mr Ron Elliston, 28 Woodham Drive, Hatfield Peverel

Mr Ellison read from a detailed statement which is summarised as follows. Mr Elliston referred to the Link Road Enquiry and the independent Inspector's conclusion that the alternative northern route would be the better choice for the Link Road. However, the Highways Agency had dismissed all options for such a road and it was instead proposing to widen the A12 under the Auxiliary Lanes scheme to allegedly improve safety. Mr Elliston noted that this claim was based on the Highways Agency's opinion as engineers and that there was no evidence to back this up. Mr Elliston stated that the Traffic Group of Hatfield Peverel Parish Council opposed the proposal for a number of reasons. The original objectives raised by the Highways Agency at the Link Road Enquiry would not be achieved as local traffic would not be removed and safety not improved. Auxiliary Lanes would not lengthen the distance between Witham and Hatfield Peverel and a third lane on either side of the A12 would not solve the problems of traffic weaving. Mr Elliston considered it would be a waste of money widening the A12 as the Highways Agency admitted it would not improve safety.

Mr Elliston stated that the proposal would not reduce the current congestion on this part of A12 unless traffic diverted through Hatfield Peverel at peak times. He considered that the scheme particularly failed to address the critical issue of safety. Mr Elliston asked the Committee not to support the proposed Auxiliary Lanes scheme and that safer and more appropriate alternatives should be pursued without delay. He considered that adoption of the scheme would only delay implementation of the essential separate link road.

4. Statement relating to Application No. 05/01018/LBC – Easterford Mill, Swan Street,

Kelvedon

Statement by Mrs Christine Burden, 300 Bocking Church Street, Braintree

Mrs Burden spoke on behalf of the Essex Mills Group. She stated that the Mill only needed a little tweak and then it would be fully operational. If residential use was permitted it would not work again and would price mill workers out of the market. Mrs Burden noted that there were very few mills left in Essex and it would be a shame if the Easterford Mill were lost.